

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8138
BILL NUMBER: SB 568

DATE PREPARED: Jan 18, 2001
BILL AMENDED:

SUBJECT: Public Guardianship Services Program.

FISCAL ANALYST: Kathy Norris
PHONE NUMBER: 234-1360

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

STATE IMPACT	FY 2001	FY 2002	FY 2003
State Revenues			
State Expenditures		100,000	100,000
Net Increase (Decrease)		(100,000)	(100,000)

Summary of Legislation: This bill includes temporary guardianships in the list of guardianships that may be used in individualized service plans for incapacitated individuals under the Division of Disability, Aging, and Rehabilitative Services' contract with a nonprofit corporation. The bill appropriates \$100,000 in each year of the biennium for temporary guardianships under the Adult Guardianship Services Program.

Effective Date: Upon passage; July 1, 2001.

Explanation of State Expenditures: This bill would allow the Division of Disability, Aging, and Rehabilitative Services to include provisions to include temporary emergency adult guardianship in contracts for adult guardianship services. The bill appropriates \$100,000 annually during FY 2002 and FY 2003 to provide funding for the expansion of adult guardianship services.

Background: Currently the Division contracts with six agencies in various locations throughout the state to provide adult guardianship services. The Adult Guardianship Program is allocated approximately \$390,000 annually and is 100% state funded. The program operates with one state staff person located in the central office. The majority of the funding, \$343,000, is used for the six grants. Historically, these grants have only provided services for residents or former residents of state-owned facilities due to funding limitations. The grants generally help provide funds for a local staff person and expenses of the guardianship, such as filing

fees. The majority of the legal work required for the program is performed on a volunteer basis by local attorneys.

This bill would address temporary emergency needs of elderly individuals who are without assets or family members able to assume guardianship. During hospitalization, the individual's physician may determine the individual is incompetent and in need of long-term care placement. Nursing homes will permit only a competent person or their guardian to sign for admission. Temporary guardianships are necessary to facilitate the transition from a hospital to a nursing home and in order to authorize medical and personal decisions for the individual in these circumstances. The temporary guardianship is effective for 60 days, after which, more permanent arrangements may be made, if necessary.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Division of Disability, Aging, and Rehabilitative Services.

Local Agencies Affected:

Information Sources: Susan Preble, Legislative Liaison for FSSA, (317)-232-1149. Letter from Ruth Anne Sprunger, Executive Director, Mental Health Association in Allen County.